

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MAACO FRANCHISOR SPV LLC, as  
successor-in-interest to MAACO  
FRANCHISING, INC.,

Plaintiff/Counter-Defendant,

vs.

ALBITOUNI, INC., an Illinois Corporation,  
SAM ALBITOUNI, and TRICIA  
KENNEDY,

Defendants/Counter-Plaintiffs.

CIVIL ACTION NO. 1:19-cv-07757

**JOINT MOTION TO EXTEND THE DISCOVERY DEADLINE**

Plaintiff/Counter-Defendant, Maaco Franchisor SPV LLC, as successor-in-interest to Maaco Franchising, Inc. (“Maaco”), and Defendants/Counter-Plaintiffs’ Albitouni Inc. (the “Operating Company”), Sam Albitouni (“Albitouni”), and Tricia Kennedy (“Kennedy”) (collectively, “Franchisee”), Counterclaim file this Joint Motion for Extension of the Discovery Deadline, and state as follows:

1. On August 10, 2021, this Honorable Court ordered for fact discovery to be closed by February 28, 2022. (Doc. No. 57).
2. The parties have since exchanged several discovery requests and issued subpoenas duces tecum to third parties.
3. During the past month, lead counsel for both parties tested positive for COVID-19 delaying further discovery and scheduling of depositions.
4. Additionally, counsel for Plaintiff has a trial and arbitration set in February that limit the availability for scheduling meaningful depositions and additional discovery.

5. Further, the parties are in the midst of settlement negotiations and would prefer to conserve time and resources on additional discovery until the parties are able to conduct more fruitful settlement discussions.

6. The Parties do not anticipate they will be able to exchange further discovery and prepare for depositions of several witnesses within sufficient time despite their best efforts.

7. As a result and in order to conserve resources, accommodate the existing schedules and current obligations of the undersigned and relevant parties and witnesses, efficiently manage the discovery in this matter, and promote judicial economy, the parties request to extend the discovery deadline by forty-five (45) days.

8. The parties request this enlargement in good faith and for good cause and do not request this relief from this Honorable Court to postpone, hinder, or otherwise delay the present litigation. Rather, the parties hope to conserve resources and promote economy and efficiency not only for themselves, but also the Court.

WHEREFORE, Plaintiff/Counter-Defendant Maaco Franchisor SPV LLC and Defendants/Counter-Plaintiffs Albitouni, Inc., Sam Albitouni, and Tricia Kennedy respectfully prays and requests that this Honorable Court grant the parties Joint Motion to Extend the Discovery Deadline.

This the 28th day of January, 2022.

s/ Dennis D. Leone

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